
A BILL FOR AN ACT

RELATING TO DISASTER PREPAREDNESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 DISASTER PREPAREDNESS

6 § -1 Definitions. As used in this chapter:

7 "Commission" means the disaster preparedness commission.

8 "Director" means the director of the office of disaster
9 preparedness.

10 "Disaster" means any natural or human-caused catastrophe,
11 the occurrence of which is unanticipated or difficult to
12 predict, that results in significant property damage,
13 agricultural loss, hardship, suffering, psychological disorders,
14 medical difficulties, or loss of life within the state.

15 "Natural hazard" means a hurricane, storm, flood, tsunami,
16 tidal wave, wind-driven water, earthquake, volcanic activity,
17 volcanic smog or vog, lava flow, rockslide, earthslide, fire, or
18 other natural disaster.



1 "Vog" means the substance created when sulfur dioxide and
2 other volcanic gases combine and interact chemically in the
3 atmosphere with oxygen, moisture, dust, and sunlight over a
4 period of time to form a visible haze consisting of gas and a
5 suspended mixture of tiny liquid and solid particles.

6 **§ -2 Office of disaster preparedness established.** There
7 is established in the department of defense, the office of
8 disaster preparedness. The director of the office shall be
9 appointed by the disaster preparedness commission and the
10 director's position shall be exempt from civil service. The
11 director shall serve for a period of six years and thereafter
12 until a successor is appointed. The salary of the director
13 shall be set at a rate no greater than \$ a year and
14 shall not be diminished during the director's term of office
15 unless by general law applying to all salaried officers of the
16 State. If the director dies, resigns, becomes ineligible to
17 serve, or is removed or suspended from office, the first
18 assistant to the director shall become the acting director until
19 a new director is appointed for a full term.

20 **§ -3 Duties of the director.** (a) Notwithstanding
21 section 26-35, the director shall report exclusively to the
22 disaster preparedness commission established under section -



1 4 and work in concert with the commission to develop a
2 comprehensive disaster preparedness plan for the State. The
3 disaster preparedness plan shall include:

- 4 (1) The identification of natural hazards;
- 5 (2) The designation of natural hazard impact zones;
- 6 (3) Priorities for natural hazard mitigation;
- 7 (4) Policies, requirements, and incentives to mitigate the
8 problems caused by natural hazards, to be incorporated
9 into rules such as county building codes, land use
10 policies, and retrofitting incentives such as tax
11 credits; and
- 12 (5) Plans for best responses to disasters to minimize
13 costs and protect the interests of state residents and
14 visitors, their possessions, and pets, including plans
15 ensuring the reliability of communication networks and
16 power supplies for major state airports, health care
17 facilities, disaster shelters, and other essential
18 services.

19 (b) The director shall report annually to the governor and
20 the legislature no later than twenty days before the convening
21 of each regular session of the legislature on the status of the

1 disaster preparedness plan and shall include any necessary
2 proposed legislation.

3 **§ -4 Disaster preparedness commission established;**
4 **selection of advisory committees.** (a) There is established a
5 disaster preparedness commission within the department of
6 defense for administrative purposes only. The commission shall
7 consist of eleven members as follows:

- 8 (1) One member appointed by the governor;
- 9 (2) One member appointed by the speaker of the house of
10 representatives;
- 11 (3) One member appointed by the president of the senate;
- 12 (4) Four members appointed by the mayors of the counties
13 of Hawaii, Maui, Kauai, and the City and County of
14 Honolulu each of whom shall appoint one member; and
- 15 (5) Four members appointed by the mayors of the counties
16 of Hawaii, Maui, Kauai, and the City and County of
17 Honolulu each of whom shall appoint one member from
18 their respective county civil defense agency.

19 The commission shall:

- 20 (1) Select one of its members to serve as chairperson;
- 21 (2) Appoint the director;



1 (3) Advise and assist the director in developing a
2 comprehensive disaster preparedness plan for the
3 State. The commission's duties in this regard shall
4 include but not be limited to:

5 (A) Gathering information about disasters that have
6 occurred in the past; and

7 (B) Establishing advisory committees to provide
8 technical and other support to the director.

9 (b) Any action taken by the commission shall be approved
10 by a simple majority of its members. Six members shall
11 constitute a quorum to do business.

12 (c) The commission and the director, without regard to the
13 requirements of chapter 76, may hire employees necessary to
14 perform their duties.

15 (d) No member of the commission shall receive any
16 compensation for commission services; provided that members
17 shall be allowed necessary expenses, including travel expenses,
18 incurred in the performance of their official duties."

19 SECTION 2. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2010-2011 for
22 the office of the director of disaster preparedness and the



1 disaster preparedness commission, including the hiring of
2 necessary staff.

3 The sum appropriated shall be expended by the department of
4 defense for the purposes of this Act.

5 SECTION 3. This Act shall take effect upon its approval.

6

INTRODUCED BY: _____



JAN 13 2010



Report Title:

Disaster Preparedness Plan; Natural Disasters

Description:

Establishes the Office of Disaster Preparedness and a Disaster Preparedness Commission to develop a disaster preparedness plan for Hawaii that includes the identification of hazards and hazard impact zones, disaster mitigation policies, requirements, incentives, and best responses.

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